(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 628 OF 2003

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri V. A. Lawande, advocate for the petitioner.

Smt. A. A. Agni, advocate for respondent no.1.

Shri A.N.S. Nadkarni, Advocate General with Shri P. A. Kamat, Government Advocate for respondent no. 2.

CORAM : S. A. BOBDE &
N. A. BRITTO, JJ.

DATE : 7th June, 2004

P.C.

The petitioner has challenged the revision of his pay fixation and the consequent recovery of salary allegedly paid in excess to him. This Court has granted stay of the recovery.

2. After hearing the parties for sometime, the following Order is passed, by consent:

The petitioner's

representation dated 8th August, 2003 appears to have been decided by the respondent University, on the basis of advice from the Director of Higher Education, Goa. Admittedly the Director of Higher Education has not heard the petitioner.

The petitioner shall be entitled to make a fresh representation to the Director of Higher Education, without prejudice to any of his contentions. The Director of Higher Education shall, after affording the petitioner an opportunity of being heard, decide the representation within a period of one month from the date the petitioner appears before the Director of Higher Education. The petitioner shall appear before the Director of Higher Education on Monday, 14th June, 2004, at 10 a.m.

Till the Director of Higher Education decides the

representation, there shall be no recovery from the petitioner. If the decision of the Director is adverse to the petitioner, the stay of recovery shall continue for a period of two weeks thereafter. The Director of Higher Education shall decide the representation without being influenced by the earlier decision of the University or any observation of this Court. All the contentions raised by the petitioner are kept open.

The petition is disposed of accordingly in the above terms.

S. A. BOBDE, J.

N. A. BRITTO, J.

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